

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 1, Chama Mainstream

MOTION FOR EXTENSION OF TIME

The State of New Mexico, *ex rel.* State Engineer (“State”) by and through its counsel, move the Court to extend the time to file objections to, or motions to adopt or modify the *Special Master’s Report on Priorities for Three Acequias*, filed December 16, 2009 (Docket No. 9546), to February 20, 2010, and as grounds therefore states the following:

1. On December 16, 2010, the Special Master filed her report and findings of fact and conclusions of law in connection with evidentiary hearings held before her in August 1996. Any objections to the report, or motions to adopt or modify the report, are due on or about January 11, 2010.

2. The Special Master’s report was filed about one week before the Christmas and New Year holiday season, and a thorough evaluation of the report and review of the original materials associated with the 1996 hearings will not be possible by the January 11 deadline. In addition, Edward G. Newville, counsel for the State of New Mexico in this matter, will be unavailable until January 25, 2010. *See Notice of Unavailability* filed December 3, 2009 (Docket

No. 9537).

3. The State of New Mexico therefore requests an extension of time until February 20, 2010, for all parties to file objections to, or motions to adopt or modify, the master's report.

4. Counsel for the Acequias, Fred J. Waltz does not oppose the granting of this motion.

WHEREFORE the State of New Mexico requests the Court to extend the time to object to, or to file a motion to adopt or modify, the *Special Master's Report on Priorities for Three Acequias*, filed December 16, 2009 (Docket No. 9546) until February 20, 2010.

Respectfully submitted:

/s/ Arianne Singer
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 7th day of January 2010 I filed the foregoing electronically through the CM/ECF system which caused the parties listed on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Arianne Singer